

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**
(PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/CH2004/000570

International filing date (day/month/year)
10.09.2004

Priority date (day/month/year)
12.09.2003

International Patent Classification (IPC) or both national classification and IPC
C07C33/03, C11B9/00

Applicant
GIVAUDAN SA

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1b/s(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
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International application No.
PCT/CH2004/000570

Box No. 1 Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
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International application No.
PCT/CH2004/000570

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | |
|-------------------------------|-------------|-----|
| Novelty (N) | Yes: Claims | 1-4 |
| | No: Claims | |
| Inventive step (IS) | Yes: Claims | 1-4 |
| | No: Claims | |
| Industrial applicability (IA) | Yes: Claims | 1-4 |
| | No: Claims | |

2. Citations and explanations

see separate sheet

Re Item V.

The following documents are referred to in this communication:

D1 : EP-A-0 045 453

D2 : EP-A-0 086 945

The present application is directed to 4-methyldec-4-en-3-ol as its use as fragrance ingredient.

D1 represents the closest prior art and discloses the compound 4-methyl-3-decen-5-ol and its use as fragrance ingredient.

D2 discloses the compounds 4-methyl-undec-3-en-5-ol; 4-methyl-dodec-3-en-5-ol; 4-methyl-tridec-3-en-5-ol; 4,6-dimethyl-dec-3-en-5-ol; 4,6-dimethyl-undec-3-en-5-ol; 4,9-dimethyl-dec-3-en-5-ol; 4,6,8-trimethyl-non-3-en-5-ol; 2,6-dimethyl-1,6-nonadien-5-ol; 4-methyl-3,9-decadien-5-ol; 4-methyl-3,8(Z)-undecadien-5-ol; 4,9-dimethyl-3,8-decadien-5-ol; 4,10-dimethyl-3,9-undecadien-5-ol and their use as fragrance ingredient.

However, 4-methyldec-4-en-3-ol is neither disclosed in D1 nor in D2.

The problem to be solved by the present invention may be regarded as the provision of an improved fragrance ingredient.

The solution is given in claim 1 and is directed to the use of 4-Methyldec-4-en-3-ol. It is however, not deducible for the skilled person in the art from D1, that 4-methyldec-4-en-3-ol would enhance floral, fruity and green odour notes.

Thus, the subject matter of claims 1-4 fulfills the criteria of Article 33(2) and (3) PCT.